S.B.Criminal Misc. Third Bail Appl.No.3390/2006
(Vijay alias Sethi vs. State fo Raj.)

Date of order : 21.8.2006

HON'BLE MR.H.R.PANWAR,J.

Mr.Mridul Jain, for the petitioner.
Mr. Ashok Upadhyaya, P.P.

This is successive third bail application filed by the petitioner.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. I have carefully gone through the challan papers and the statement of injured PW.2 Krishna Kumar.

The petitioner is facing trial for the offences under sections 397/34, 307/34, 325/34, 323/34, 324/34 I.P.C. The allegation against the present petitioner is that he along with other two persons hired an Indica Car of which the injured PW.2 Krishna Kumar was the driver. On the way, Krishna Kumar was assaulted by the petitioner and two others and thrown in a canal after causing injuries to him apart from committing dacaoity of certain amount and a mobile phone. The petitioner was put to

identification parade. He was identified by the injured in the identification parade as also before the trial court. In the circumstances, therefore, no case for bail is made out.

The bail application filed by the petitioner under section 439 Cr.P.C. is, therefore, dismissed. However, the trial court is directed to dispose of the session case utmost expeditiously.

(H.R.PANWAR),J.

m.asif/-